



General Assembly

February Session, 2010

***Raised Bill No. 5492***

LCO No. 2199

\*02199\_\_\_\_\_ED\_\*

Referred to Committee on Education

Introduced by:  
(ED)

***AN ACT CONCERNING REVISIONS TO THE ACCOUNTABILITY  
STATUTES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-223e of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2010*):

3 (a) In conformance with the No Child Left Behind Act, P.L. 107-110,  
4 the Commissioner of Education shall prepare a state-wide education  
5 accountability plan, consistent with federal law and regulation. Such  
6 plan shall identify the schools and districts in need of improvement,  
7 require the development and implementation of improvement plans  
8 and utilize rewards and consequences.

9 (b) Public schools identified by the State Board of Education  
10 pursuant to section 10-223b of the general statutes, revision of 1958,  
11 revised to January 1, 2001, as schools in need of improvement shall: (1)  
12 Continue to be identified as schools in need of improvement, and  
13 continue to operate under school improvement plans developed  
14 pursuant to said section 10-223b through June 30, 2004; (2) on or before  
15 February 1, 2003, be evaluated by the local board of education and

16 determined to be making sufficient or insufficient progress; (3) if found  
17 to be making insufficient progress by a local board of education, be  
18 subject to a new remediation and organization plan developed by the  
19 local board of education; (4) continue to be eligible for available federal  
20 or state aid; (5) beginning in February, 2003, be monitored by the  
21 Department of Education for adequate yearly progress, as defined in  
22 the state accountability plan prepared in accordance with subsection  
23 (a) of this section; and (6) be subject to rewards and consequences as  
24 defined in said plan.

25 (c) (1) Any school or school district identified as in need of  
26 improvement pursuant to subsection (a) of this section and requiring  
27 corrective action pursuant to the requirements of the No Child Left  
28 Behind Act, P.L. 107-110, shall be designated and listed as a low  
29 achieving school or school district and shall be subject to intensified  
30 supervision and direction by the State Board of Education.

31 (2) Notwithstanding any provision of this title or any regulation  
32 adopted pursuant to said statutes, except as provided in subdivision  
33 (3) of this subsection, in carrying out the provisions of subdivision (1)  
34 of this subsection, the State Board of Education shall take any of the  
35 following actions to improve student performance and remove the  
36 school or district from the list of schools or districts designated and  
37 listed as a low achieving school or district pursuant to said subdivision  
38 (1), and to address other needs of the school or district: (A) Require an  
39 operations audit to identify possible programmatic savings and an  
40 instructional audit to identify any deficits in curriculum and  
41 instruction or in the learning environment of the school or district; (B)  
42 require the local or regional board of education for such school or  
43 district to use state and federal funds for critical needs, as directed by  
44 the State Board of Education; (C) provide incentives to attract highly  
45 qualified teachers and principals; (D) direct the transfer and  
46 assignment of teachers and principals; (E) require additional training  
47 and technical assistance for parents and guardians of children  
48 attending the school or a school in the district and for teachers,

49 principals, and central office staff members hired by the district; (F)  
 50 require the local or regional board of education for the school or  
 51 district to implement model curriculum, including, but not limited to,  
 52 recommended textbooks, materials and supplies approved by the  
 53 Department of Education; (G) require the local or regional board of  
 54 education for the school or district to implement the high school  
 55 graduation requirements described in subsection (g) of this section; (H)  
 56 require the local or regional board of education for the school or  
 57 district to collect information for each student, beginning in grade six,  
 58 that records such student's career and academic choices in grades six to  
 59 twelve, inclusive; (I) require the local or regional board of education  
 60 for the school or district to conduct examinations at the end of the  
 61 school year for the following courses: (i) Algebra I, (ii) geometry, (iii)  
 62 biology, (iv) American history, and (v) grade ten English; (J) require  
 63 the local or regional board of education for the school or district to  
 64 adopt an adolescent literary and dropout prevention program for  
 65 students in grades six to twelve, inclusive; (K) identify schools for  
 66 reconstitution, as may be phased in by the commissioner, as state or  
 67 local charter schools, schools established pursuant to section 10-74g, or  
 68 schools based on other models for school improvement, or for  
 69 management by an entity other than the local or regional board of  
 70 education for the district in which the school is located; [(H)] (L) direct  
 71 the local or regional board of education for the school or district to  
 72 develop and implement a plan addressing deficits in achievement and  
 73 in the learning environment as recommended in the instructional  
 74 audit; [(I)] (M) assign a technical assistance team to the school or  
 75 district to guide school or district initiatives and report progress to the  
 76 Commissioner of Education; [(J)] (N) establish instructional and  
 77 learning environment benchmarks for the school or district to meet as  
 78 it progresses toward removal from the list of low achieving schools or  
 79 districts; [(K)] (O) provide funding to any proximate district to a  
 80 district designated as a low achieving school district so that students in  
 81 a low achieving district may attend public school in a neighboring  
 82 district; [(L)] (P) direct the establishment of learning academies within

83 schools that require continuous monitoring of student performance by  
84 teacher groups; [(M)] (Q) require local and regional boards of  
85 education to (i) undergo training to improve their operational  
86 efficiency and effectiveness as leaders of their districts' improvement  
87 plans, and (ii) submit an annual action plan to the Commissioner of  
88 Education outlining how, when and in what manner their effectiveness  
89 shall be monitored; or [(N)] (R) any combination of the actions  
90 described in this subdivision or similar, closely related actions.

91 (3) If a directive of the State Board of Education pursuant to  
92 subparagraph (C), (D), (E) or [(L)] (P) of subdivision (2) of this  
93 subsection or a directive to implement a plan pursuant to  
94 subparagraph [(H)] (L) of said subdivision affects working conditions,  
95 such directive shall be carried out in accordance with the provisions of  
96 sections 10-153a to 10-153n, inclusive.

97 (4) The Comptroller shall, pursuant to the provisions of section 10-  
98 262i, withhold any grant funds that a town is otherwise required to  
99 appropriate to a local or regional board of education due to low  
100 academic achievement in the school district pursuant to section 10-  
101 262h. Said funds shall be transferred to the Department of Education  
102 and shall be expended by the department on behalf of the identified  
103 school district. Said funds shall be used to implement the provisions of  
104 subdivision (2) of this subsection and to offset such other local  
105 education costs that the Commissioner of Education deems  
106 appropriate to achieve school improvements. These funds shall be  
107 awarded by the commissioner to the local or regional board of  
108 education for such identified school district upon condition that said  
109 funds shall be spent in accordance with the directives of the  
110 commissioner.

111 (d) The State Board of Education shall monitor the progress of each  
112 school or district designated as a low achieving school or district  
113 pursuant to subdivision (1) of subsection (c) of this section and provide  
114 notice to the local or regional board of education for each such school

115 or district of the school or district's progress toward meeting the  
116 benchmarks established by the State Board of Education pursuant to  
117 subsection (c) of this section. If a district fails to make acceptable  
118 progress toward meeting such benchmarks established by the State  
119 Board of Education and fails to make adequate yearly progress  
120 pursuant to the requirements of the No Child Left Behind Act, P.L.  
121 107-110, for two consecutive years while designated as a low achieving  
122 school district, the State Board of Education, after consultation with the  
123 Governor and chief elected official or officials of the district, may  
124 request that the General Assembly enact legislation authorizing that  
125 control of the district be reassigned to the State Board of Education or  
126 other authorized entity.

127 (e) Any school district or elementary school after two successive  
128 years of failing to make adequate yearly progress shall be designated  
129 as a low achieving school district or school and shall be evaluated by  
130 the Commissioner of Education. After such evaluation, the  
131 commissioner may require that such school district or school provide  
132 full-day kindergarten classes, summer school, extended school day,  
133 weekend classes, tutorial assistance to its students or professional  
134 development to its administrators, principals, teachers and  
135 paraprofessional teacher aides if (1) on any subpart of the third grade  
136 state-wide mastery examination, thirty per cent or more of the students  
137 in any subgroup, as defined by the No Child Left Behind Act, P.L. 107-  
138 110, do not achieve the level of proficiency or higher, or (2) the  
139 commissioner determines that it would be in the best educational  
140 interests of the school or the school district to have any of these  
141 programs. In ordering any educational program authorized by this  
142 subsection, the commissioner may limit the offering of the program to  
143 the subgroup of students that have failed to achieve proficiency as  
144 determined by this subsection, those in particular grades or those who  
145 are otherwise at substantial risk of educational failure. The costs of  
146 instituting the ordered educational programs shall be borne by the  
147 identified low achieving school district or the school district in which  
148 an identified low achieving school is located. The commissioner shall

149 not order an educational program that costs more to implement than  
150 the total increase in the amount of the grant that a town receives  
151 pursuant to section 10-262i in any fiscal year above the prior fiscal  
152 year.

153 (f) The Commissioner of Education shall conduct a study, within the  
154 limits of the capacity of the Department of Education to perform such  
155 study, of academic achievement of individual students over time as  
156 measured by performance on the state-wide mastery examination in  
157 grades three to eight, inclusive. If this study evidences a pattern of  
158 continuous and substantial growth in educational performance on said  
159 examinations for individual students, then the commissioner may  
160 determine that the school district or elementary school shall not be  
161 subject to the requirements of subsection (e) of this section, but shall  
162 still comply with the requirements of the No Child Left Behind Act,  
163 P.L. 107-110, if applicable.

164 (g) (1) Commencing with classes graduating in 2018, and for each  
165 graduating class thereafter, provided the Department of Education  
166 secures federal funding in accordance with the provisions of  
167 subdivision (2) of this subsection, no local or regional board of  
168 education for a school district in need of improvement or a high school  
169 in need of improvement shall permit any student to graduate from  
170 high school or grant a diploma to any student who has not  
171 satisfactorily completed a minimum of twenty-five credits, including  
172 not fewer than: (A) Nine credits in the humanities, including not fewer  
173 than (i) four credits in English, including composition; (ii) three credits  
174 in social studies, including at least one credit in American history and  
175 at least one-half credit in civics and American government; (iii) one  
176 credit in fine arts; and (iv) one credit in a humanities elective; (B) eight  
177 credits in science, technology, engineering and mathematics, including  
178 not fewer than (i) four credits in mathematics, including algebra I,  
179 geometry, and algebra II or probability and statistics; (ii) three credits  
180 in science, including at least one credit in life science and at least one  
181 credit in physical science; and (iii) one credit in a science, technology,

182 engineering and mathematics elective; (C) three and one-half credits in  
 183 career and life skills, including not fewer than (i) one credit in physical  
 184 education; (ii) one-half credit in comprehensive health education,  
 185 subject to the provisions of subsection (g) of this section; and (iii) two  
 186 credits in career and life skills electives, such as career and technical  
 187 education, English as a second language, community service, personal  
 188 finance, public speaking and nutrition and physical activity; (D) two  
 189 credits in world languages, subject to the provisions of subdivision (2)  
 190 of subsection (e) of section 10-221a, as amended by this act; and (E) a  
 191 one credit senior demonstration project. Local and regional boards of  
 192 education shall provide alternate means for a student to complete any  
 193 high school graduation requirement pursuant to this subsection if such  
 194 student is unable to satisfactorily complete any of the courses required  
 195 pursuant to this subsection and allow students to attend a public  
 196 institution of higher education pursuant to subdivision (4) of  
 197 subsection (e) of section 10-221a, as amended by this act.

198 (2) Not later than October 1, 2010, the Department of Education  
 199 shall apply for federal economic stimulus funds available pursuant to  
 200 the American Recovery and Reinvestment Act of 2009, P.L. 111-5, or  
 201 any other federal grant program, in an amount, as determined by the  
 202 Commissioner of Education, that is at least sufficient to implement the  
 203 changes to the requirements for a student to graduate from high school  
 204 or to be granted a diploma, as set forth in the provisions of subdivision  
 205 (1) of this subsection. If the department is unable to secure such  
 206 funding under said American Recovery and Reinvestment Act of 2009,  
 207 or any other federal grant program, the provisions of subdivision (1) of  
 208 this subsection shall not apply until the department has sufficient  
 209 funds to implement changes to the requirements for a student to  
 210 graduate from high school or be granted a diploma, as set forth in  
 211 subdivision (1) of this subsection.

212 Sec. 2. Section 10-221a of the general statutes is repealed and the  
 213 following is substituted in lieu thereof (*Effective July 1, 2010*):

214 (a) For classes graduating from 1988 to 2003, inclusive, no local or  
215 regional board of education shall permit any student to graduate from  
216 high school or grant a diploma to any student who has not  
217 satisfactorily completed a minimum of twenty credits, not fewer than  
218 four of which shall be in English, not fewer than three in mathematics,  
219 not fewer than three in social studies, not fewer than two in science,  
220 not fewer than one in the arts or vocational education and not fewer  
221 than one in physical education.

222 (b) [Commencing] Except as provided in subsection (g) of section  
223 10-223e, with classes graduating in 2004, and for each graduating class  
224 thereafter, no local or regional board of education shall permit any  
225 student to graduate from high school or grant a diploma to any  
226 student who has not satisfactorily completed a minimum of twenty  
227 credits, not fewer than four of which shall be in English, not fewer than  
228 three in mathematics, not fewer than three in social studies, including  
229 at least a one-half credit course on civics and American government,  
230 not fewer than two in science, not fewer than one in the arts or  
231 vocational education and not fewer than one in physical education.

232 (c) Any student who presents a certificate from a physician stating  
233 that, in the opinion of the physician, participation in physical  
234 education is medically contraindicated because of the physical  
235 condition of such student, shall be excused from the physical  
236 education requirement, provided the credit for physical education may  
237 be fulfilled by an elective.

238 (d) Determination of eligible credits shall be at the discretion of the  
239 local or regional board of education, provided the primary focus of the  
240 curriculum of eligible credits corresponds directly to the subject matter  
241 of the specified course requirements. The local or regional board of  
242 education may permit a student to graduate during a period of  
243 expulsion pursuant to section 10-233d, if the board determines the  
244 student has satisfactorily completed the necessary credits pursuant to  
245 this section. The requirements of this section shall apply to any student



246 requiring special education pursuant to section 10-76a, except when  
247 the planning and placement team for such student determines the  
248 requirement not to be appropriate. For purposes of this section, a  
249 credit shall consist of not less than the equivalent of a forty-minute  
250 class period for each school day of a school year except for a credit or  
251 part of a credit toward high school graduation earned at an institution  
252 accredited by the Department of Higher Education or regionally  
253 accredited.

254 (e) Only courses taken in grades nine through twelve, inclusive,  
255 shall satisfy this graduation requirement, except that a local or regional  
256 board of education may grant a student credit (1) toward meeting a  
257 specified course requirement upon the successful completion in grade  
258 seven or eight of any course, the primary focus of which corresponds  
259 directly to the subject matter of a specified course requirement in  
260 grades nine to twelve, inclusive; (2) toward meeting the high school  
261 graduation requirement upon the successful completion of a world  
262 language course (A) in grade six, seven or eight, (B) through on-line  
263 coursework, or (C) offered privately through a nonprofit provider,  
264 provided such student achieves a passing grade on an examination  
265 prescribed, within available appropriations, by the Commissioner of  
266 Education and such credits do not exceed four; (3) toward meeting the  
267 high school graduation requirement upon achievement of a passing  
268 grade on a subject area proficiency examination identified and  
269 approved, within available appropriations, by the Commissioner of  
270 Education, regardless of the number of hours the student spent in a  
271 public school classroom learning such subject matter; or (4) toward  
272 meeting the high school graduation requirement upon the successful  
273 completion of coursework at an institution accredited by the  
274 Department of Higher Education or regionally accredited. One three-  
275 credit semester course, or its equivalent, at such an institution shall  
276 equal one-half credit for purposes of this section.

277 (f) A local or regional board of education may offer one-half credit  
278 in community service which, if satisfactorily completed, shall qualify

279 for high school graduation credit pursuant to this section, provided  
280 such community service is supervised by a certified school  
281 administrator or teacher and consists of not less than fifty hours of  
282 actual service that may be performed at times when school is not  
283 regularly in session and not less than ten hours of related classroom  
284 instruction. For purposes of this section, community service does not  
285 include partisan political activities. The State Board of Education shall  
286 assist local and regional boards of education in meeting the  
287 requirements of this section.

288 (g) A local or regional board of education may award a diploma to a  
289 veteran of World War II, pursuant to section 27-103, who left high  
290 school prior to graduation in order to serve in the armed forces of the  
291 United States and did not receive a diploma as a consequence of such  
292 service.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2010</i>	10-223e
Sec. 2	<i>July 1, 2010</i>	10-221a

***Statement of Purpose:***

To amend the accountability statute for schools and districts in need of improvement by allowing the State Board of Education to require the local or regional board of education for such schools or districts to adopt new high school graduation requirements, collect student information regarding career and academic choices, and to conduct examinations at the end of the school year for certain courses.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*